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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly resolution 68/172, in which the Assembly requested the Secretary-General to submit to it at its seventieth session a report on the implementation of the resolution, including information on activities undertaken by Member States, the Office of the United Nations High Commissioner for Human Rights, the Independent Expert on minority issues, relevant United Nations entities and other relevant stakeholders to enhance the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and to ensure the realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities.

Since the previous report (A/68/304), which included information on the commemorative activities in 2012 to mark the twentieth anniversary of the adoption of the Declaration, various initiatives have been undertaken, including by the United Nations network on racial discrimination and protection of minorities. The present report outlines activities conducted with a view to increasing the visibility of the Declaration and promoting its implementation to advance the rights of persons belonging to national or ethnic, religious and linguistic minorities.

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I. Introduction

1. Pursuant to General Assembly resolution 68/172, the present report summarizes information on the implementation of the resolution and gives an overview of relevant activities undertaken to ensure the realization of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

2. In the Declaration, adopted on 18 December 1992, the General Assembly considered that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contributed to the political and social stability of States in which they lived. States and other stakeholders are guided by the Declaration on measures to take to guarantee minority rights with a view to realizing the principles laid down in the Charter of the United Nations and international and regional human rights instruments, including the International Covenant on Civil and Political Rights, in particular article 27 of the Covenant.

3. The provisions of the Declaration detail both the rights of persons belonging to minorities and the obligations of the State with respect to those rights. In doing so, the Declaration builds on various other human rights standards, including legally binding treaties. For example, recognizing that minorities are often at risk of being the targets of violence, article 1 of the Declaration stipulates that States should protect the existence of minorities. The article builds on the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, which define genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group". The preamble of the Declaration also refers to the Convention. The former Working Group on Minorities of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its commentary on the Declaration (E/CN.4/Sub.2/AC.5/2005/2), underlined the interlinkages between the Declaration and the Convention, but also noted that the protection of the existence of minorities went beyond the duty not to destroy or deliberately weaken minority groups and that it required respect for and protection of their religious and cultural heritage, essential to their group identity, including buildings and sites such as libraries, churches, mosques, temples and synagogues. The protection of existence and other guarantees in the Declaration are underpinned by the principle of non-discrimination; article 4 of the Declaration stipulates that States should take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law. In reality, discrimination on the grounds of, inter alia, ethnicity, race, religion and language remains a major hurdle to real respect of minority rights and often results in exclusion. Article 2 provides for the right of persons belonging to minorities to participate effectively in various aspects of life. Respect for the right to effective participation is key to protecting minority rights and to ensuring the fulfilment of many other fundamental human rights.

4. Under international law, States bear the primary responsibility for upholding minority rights and ensuring that persons belonging to minorities enjoy all human rights on an equal basis with others. Regrettably, contrary to the principles identified above, discriminatory laws and practices continued to be in effect in many countries throughout the reporting period, sometimes leading to massive violations of human rights, including violence that threatened the very existence of some

minority communities, large-scale displacement, expulsion and other grave human rights violations.

5. The United Nations has repeatedly emphasized the importance of a culture of prevention and response and is committed to supporting such efforts and exposing gaps. As stated by the Deputy Secretary-General at the opening of the seventh session of the Forum on Minority Issues, held in November 2014, minority rights are a vital component of the three pillars of the United Nations, namely, peace and security, human rights and development. They require the systematic and coordinated engagement of every part of the United Nations system. That interdependence is at the heart of the Secretary-General's Human Rights Up Front initiative, which calls for a system-wide effort to prevent and respond to serious violations of international human rights and humanitarian law.

II. Selected activities conducted by the Office of the United Nations High Commissioner for Human Rights

6. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has pursued a range of activities aimed at increasing the understanding of stakeholders of how to promote and protect minority rights, including through the identification of good practices. Its continuous advocacy for enhanced respect for minority rights has helped to strengthen the capacity of both State and civil society representatives at the country level, although significant gaps remain.

A. Strengthening advocacy and developing capacity

7. In order to advance minority rights generally, including protecting the existence of minorities and combating exclusion, cooperation between international, regional and national actors is crucial. In that regard, the participation of minorities at all the stages of implementation of programmes to benefit them is critical.

8. The annual OHCHR Minorities Fellowship Programme seeks to inform persons belonging to minorities about the United Nations human rights system, so that they can use international instruments and mechanisms more effectively to protect the human rights of members of their own communities. At the same time, the Fellowship Programme provides the opportunity for the exchange of ideas and the sharing of experiences among participants in the programme.

9. In 2013, the Minorities Fellowship Programme, which was held from 29 October to 30 November, comprised two linguistic components (Arabic and English), with participants coming from Canada, Colombia, Egypt, Ethiopia, India, Iraq, Latvia, Libya, Nepal, Nigeria, the Sudan and the Syrian Arab Republic.

10. The 2014 Fellowship Programme, held from 27 October to 28 November, additionally had a Russian language component and a training module on project design, effective fundraising for human rights and the documenting of human rights violations to make it more operational. Fellows came from Egypt, Estonia, Georgia, Iraq, Kyrgyzstan, Lithuania, Mauritania, Nepal, Nicaragua, Pakistan, the Syrian Arab Republic and Yemen.

11. Through the Senior Minority Fellowship Programme, a minority advocate from Lithuania was brought to Geneva to work within the Indigenous Peoples and Minorities Section of OHCHR in order to gain specialized knowledge that she could later use to benefit her community. In parallel, as part of the National Minority Fellowship Programme, two minority fellows were offered further training opportunities by OHCHR in Colombia and Nigeria.

12. On 8 April 2014, on the occasion of International Roma Day, OHCHR organized an expert panel discussion on the theme "Exposed and excluded: addressing forced eviction and the housing rights of Roma". Discussions highlighted that the forced evictions of Roma from their homes, the destruction of their property and the deportations they faced amounted to violations of the right to adequate housing as a component of the right to an adequate standard of living and led directly and indirectly to violations of a range of other civil, political, economic, social and cultural rights.

13. The event raised the profile and visibility of International Roma Day and allowed for the sharing of experiences. Advocates for the rights of Roma explored key challenges and highlighted the risks faced by Romani women and children, who are particularly vulnerable to tenure insecurity and to being subject to human rights violations after forced eviction. Participants highlighted intersecting forms of discrimination faced by Romani women and stressed that stigmatization, marginalization and sexual violence increased as a result of evictions. They pointed out that ensuring women's security of tenure was crucial regardless of age, marital, civil or social status, and of their relationships with male household or community members. The experts also identified good practices in preventing forced evictions.

B. Regional and country engagement: selected areas of focus

14. During the reporting period, the United Nations High Commissioner for Human Rights spoke out against a range of human rights violations targeting minorities and urged States and international actors to address them at an early stage. For example, at the Security Council open debate in March 2015 on the victims of attacks and abuses on ethnic or religious grounds in the Middle East, the High Commissioner stressed that the attention granted by the international community to the human rights of minorities was too often both partial and sporadic, and that the rights of minorities were often highlighted only after the outbreak of extreme violence, even though that eruption was virtually always preceded by years of exclusion.

15. Such statements were often linked with the corresponding work of OHCHR. For example, the High Commissioner called upon Myanmar to enhance its legislation and policies to protect the Rohingyas and other minorities. The message was reinforced by advocacy efforts by OHCHR with legislative and executive authorities, contributing towards an increased understanding within the Government and parliament in Myanmar regarding the need to adopt legislation in compliance with international standards. In collaboration with the United Nations country team, OHCHR supported technical analysis and developed advocacy strategies on four proposed bills relating to religious conversion, interfaith marriage, monogamy and population.

16. The High Commissioner also urged European countries to take a firmer line on racism against marginalized minorities such as Roma. Extensive work was also undertaken to advance the human rights of Roma by the OHCHR Regional Office for Europe in Brussels and other field presences in Europe. Efforts to improve the protection of the right of Roma to housing included the development of criteria for the evaluation of locations for social housing for Roma in Belgrade, where OHCHR assisted with the development of a methodology for community consultations. OHCHR also issued a fact sheet focusing on the housing rights of Roma. In the Republic of Moldova, OHCHR and the Prime Minister's adviser on Roma community issues carried out seminars within the framework of the Government bureau on inter-ethnic relations to resolve matters regarding the segregated education of Romani children in several municipalities. OHCHR also helped to develop the capacity of the bureau and non-governmental organizations to monitor and report on minority rights issues in the Republic of Moldova, in particular in the field of education, and together with the United Nations country team, the United Nations Entity for Gender Equality and the Empowerment of Women and the United Nations Development Programme it sought to empower Romani women and girls by supporting the establishment of a civil society network of Romani women and girls.

17. Violations of the rights of religious minorities in the Middle East and other regions were a major issue of concern for the United Nations. OHCHR and other United Nations entities pursued a range of work in this area. The protection of religious minorities was addressed at the dialogue on the role of the United Nations in preventing and addressing violence and atrocity crimes against minorities, which was organized by OHCHR in November 2014 before the seventh annual session of the Forum on Minority Issues. Moreover, in 2014, OHCHR issued a fact sheet on the inclusion of religious minorities in consultative and decision-making bodies, which was distributed to civil society and State authorities during consultations and other events with a view to raising awareness on what could be done to improve inclusion of religious minorities. OHCHR also carried out a range of work in specific countries and regions on religious minorities. For example, it organized a conference in Tbilisi on the freedom of religion or belief with the European Centre for Minority Issues and the embassy of the Netherlands.

18. In a number of countries, OHCHR carried out detailed research on key themes of minority rights, which resulted in concrete recommendations on strengthening legislation, policies and practices and formed the basis for its future work at the regional level on the protection of minority rights. Cases in point were the studies conducted by the OHCHR Regional Office for Central Asia on minorities and the media in Kazakhstan, the participation of minorities in public life in Kyrgyzstan and access by minorities to education in Tajikistan. Fact sheets containing the main findings and recommendations of the studies were issued in English, Kyrgyz, Russian, Ukrainian and Uzbek to make them accessible to a broad audience and to strengthen advocacy at the regional level. The participation of minorities in public and political life, language rights and education were among the main themes discussed by State authorities, civil society and national human rights institutions at national consultations on the universal periodic review, supported by OHCHR, in Kyrgyzstan in May 2014. In Serbia, OHCHR conducted a human rights assessment of the Sandžak/Raška region, with a view to identifying implementation gaps and highlighting the role that national stakeholders, non-national stakeholders and the

United Nations system can play in filling the gaps and addressing the rights of minority communities.

19. In order to address the issue of minority rights, several interlinked approaches were often employed by the United Nations at the country level, including with regard to countries experiencing ongoing violence. This was the case in Iraq, Libya, the Syrian Arab Republic and Yemen, with a range of activities pursued to improve the protection of minorities in law and in practice, despite the extremely difficult circumstances.

20. In Iraq, minority rights work was carried out against the backdrop of serious human rights violations and the ongoing systematic persecution of minority communities by Islamic State in Iraq and the Levant (ISIL). In March 2014, the first Conference on the Promotion and Protection of the Rights of Iraq's Diverse Ethnic, Religious and Linguistic Communities was organized by the United Nations Assistance Mission for Iraq, OHCHR and the Alliance of Iraqi Minorities in Baghdad. At the conference, a road map of proposals was adopted, aimed at enhancing the protection of Iraq's diverse communities from violence and promoting their full and equal participation in the political, social, economic and cultural life of the country. In addition, a committee of 10 members was appointed from among the participants at the conference to devise a plan of action based on the road map. Owing to the current conflict in Iraq, advocacy with the Government on the road map has been delayed, but the committee is now being reactivated to advance efforts. The United Nations Assistance Mission for Iraq has also supported the article 125 committee of the Iraqi Council of Representatives, named after article 125 of the Constitution of Iraq, which guarantees the administrative, political, cultural and educational rights of minorities, with a view to ensuring that a proposed draft law on minorities complies with international human rights standards.

21. The United Nations Support Mission in Libya and its Human Rights, Transitional Justice and Rule of Law Division continued to monitor and report on violations against minorities within its general monitoring mandate. It also held meetings with representatives of the Amazigh Supreme Council, the National Tabu Gathering and the Tuareg Supreme Council, as well as with human rights defenders and members of parliament.

22. In its report in August 2014, the Independent International Commission of Inquiry on the Syrian Arab Republic reported that members of ISIL had committed war crimes and crimes against humanity and posed a clear and present danger to civilians — particularly minorities — under its control in the Syrian Arab Republic and in the region. In order to build capacity to monitor and report on human rights violations, OHCHR held a workshop for human rights defenders, including minority representatives. The workshop covered issues relating to discrimination, sectarianism and incitement to hatred against communities at particular risk. Minority representatives from the Syrian Arab Republic have also actively taken part in the OHCHR Minorities Fellowship Programme.

23. The OHCHR country office in Yemen supported the participation of Muhamasheen and other minorities in key consultation processes, including in connection with the development of the country's national human rights strategy. In cooperation with the Office of the Special Adviser to the Secretary-General on Yemen and other United Nations entities, OHCHR also supported the constitutional

drafting committee in integrating international human rights standards and principles into the draft constitution. In addition, OHCHR worked closely with civil society, including those working on minority issues, in order to mobilize support for human rights provisions in the draft constitution. As a result of extensive consultations facilitated by OHCHR and involving some 650 organizations (including organizations working on minority rights and other human rights issues), civil society organizations agreed on a draft bill of rights to be used as an advocacy tool during the public discussions on the draft constitution. The document contained 13 principles and 60 recommendations, including on minority rights.

24. The human rights monitoring mission in Ukraine, deployed in March 2014, has also continuously paid close attention to the rights of persons belonging to minorities, including in its regular human rights reports. For example, in February 2015 the mission reported that although incidents of violent attacks against minorities remained rare, it had continued receiving reports of alleged discrimination against Roma and of targeting religious minorities in the areas controlled by armed groups. It also noted a continuing deterioration of the human rights situation for some Crimean Tatars in the Autonomous Republic of Crimea, in particular political and human rights activists and community leaders.

25. The human rights situation concerning people of African descent was a major focus of the work of the United Nations during the reporting period. In its resolution 68/237, the General Assembly proclaimed 2015-2024 as the International Decade for People of African Descent, and in its resolution 69/16 the Assembly appointed the United Nations High Commissioner for Human Rights to act as the coordinator of the Decade. In addition to its preparations for the Decade, OHCHR implemented a fellowship programme for people of African descent and supported related mechanisms. A range of activities was also undertaken at the country level, including in the Plurinational State of Bolivia, where OHCHR delivered technical assistance to Afro-Bolivian organizations and the Ministry of Education and facilitated the participation of those organizations in the first regular session of the national committee against racism and all forms of discrimination.

III. United Nations network on racial discrimination and protection of minorities

26. On the occasion of the twentieth anniversary of the Declaration, the Secretary-General established the United Nations network on racial discrimination and protection of minorities. The network, which is coordinated by OHCHR, brings together relevant United Nations departments, agencies, funds and programmes to stimulate cooperation and to enhance the impact of the work of the United Nations in relation to combating racial discrimination and the protection of minorities, both at headquarters and in the field.

27. In March 2013, the Secretary-General endorsed a guidance note, prepared by the network, on how to address racial discrimination and ensure the protection of minorities consistent with human rights standards and practice. In April 2014, the network adopted a four-year action plan to follow up on the recommendations contained in the guidance note and launched the first activities envisaged in the action plan. The network contributed to the work of United Nations mechanisms dealing with minority issues, and the capacity of the United Nations, national

human rights institutions and other actors to advance minority rights at the country level was enhanced.

28. At the seventh session of the Forum on Minority Issues, in November 2014, the network submitted a paper on preventing and addressing violence and atrocity crimes targeted against minorities, in accordance with its action plan. It also contributed to the report of the Special Rapporteur on minority issues containing a comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism (A/HRC/29/24), which was presented to the Human Rights Council at its twenty-ninth session, in June 2015, including in terms of mapping the situation of Romani people outside of Europe and key challenges they face.

29. In the action plan, United Nations country teams are recognized as being crucial to strengthening the work to combat on anti-discrimination and promote protection of minorities at the country level. Therefore, the network sought to facilitate exchanges of experience on practical measures between and within country teams and to support training to develop their capacity to address minority issues. In that vein, OHCHR held a course on minority rights for the United Nations country team in Pakistan in May 2014, bringing together participants from several United Nations agencies and programmes. A specific session was devoted to the role of the United Nations system in ensuring that its strategies and actions take into consideration the special situation of minority women, including in terms of criminal justice responses to harmful traditional practices and violence against women. In May 2015, the Office organized a training course on the protection of the rights of minorities and indigenous peoples for the United Nations country team in the Philippines, in collaboration with the Special Rapporteur on the rights of indigenous peoples.

30. The training courses triggered considerable interest on the part of the country teams, as well as concrete suggestions for follow-up. Participants at the courses stressed that effective action by the United Nations required continuous dialogue with a diverse representation of minorities, including minority women, with a view to ensuring their contribution to the design and implementation of United Nations activities.

31. On 2 and 3 December 2014, regional consultations on strengthening minority rights protection in the Middle East and North Africa region through the national implementation of recommendations from the United Nations human rights machinery were held in Tunis. Participants from national human rights institutions, non-governmental organizations, the media and United Nations entities debated strategies and tools to support national actors in translating recommendations into action. They also explored the relationship between United Nations mechanisms and national frameworks and institutions, and how their interaction could be improved to promote the rights of minorities at the national and regional levels. In parallel, OHCHR convened a training session for the United Nations country team in Tunisia on the protection of minorities in the Middle East and North Africa.

32. The Office of the Special Advisers on the Prevention of Genocide and on the Responsibility to Protect, which also a member of the network, sought to enhance implementation of the responsibility to protect against genocide, war crimes, ethnic cleansing and crimes against humanity by Member States, regional organizations and civil society. In that context, it developed guidance for Member States, regional

and subregional organizations and civil society to prevent or halt atrocity crimes under each of the three pillars of the responsibility to protect.

IV. Human rights treaty bodies

33. Throughout the reporting period, human rights treaty bodies addressed recommendations to States relating to minority issues as part of the regular reporting on the implementation of treaty obligations, and suggested further measures that States should take in order to comply with their treaty obligations.

A. Concluding observations

34. The Human Rights Committee at its 110th session, held from 10 to 28 March 2014, adopted concluding observations on periodic reports of countries, including Kyrgyzstan, Latvia and the United States of America. The Committee noted efforts by Kyrgyzstan to integrate minorities into political and public life, but remained concerned about the low level of representation of minorities in political and public institutions, both at the national and the local level (see CCPR/C/KGZ/CO/2). As regards the concluding observations on the third periodic report of Latvia, the Committee addressed questions of the status of "non-citizen" residents and the situation of linguistic minorities in the country (see CCPR/C/LVA/CO/3). With regard to the United States of America, the Committee remained concerned about the practice of racial profiling and surveillance by law enforcement officials targeting certain ethnic minorities, notably Muslims (see CCPR/C/USA/CO/4).

35. The Committee on Economic, Social and Cultural Rights at its fifty-second session, held from 28 April to 23 May 2014, adopted concluding observations on, inter alia, the second periodic report of China, including Hong Kong, China, and Macao, China. The Committee expressed concern that, despite the measures adopted by Hong Kong to ensure equal access to 12 years of free education, children of ethnic minorities continued to face discrimination. The Committee recommended that Hong Kong ensure, through legislative and other measures, that all children, including ethnic minority children, had free access to compulsory education on an equal basis with other children (see E/C.12/CHN/CO/2).

36. At its fifty-fifth session, held from 1 to 19 June 2015, the Committee on Economic, Social and Cultural Rights considered, inter alia, the third periodic report of Ireland on the implementation of the International Covenant on Economic, Social and Cultural Rights and recommended that the State party expedite its efforts to give legal recognition to Travellers as an ethnic minority and include them as an ethnic minority in anti-discrimination legislation (see E/C.12/IRL/CO/3).

37. Also at its fifty-fifth session, the Committee considered the combined second and third periodic reports of Kyrgyzstan and recommended that the State party allocate specific budgetary resources to promote the cultural diversity of ethnic minorities, allow mother tongue education and minority language press, and enable all groups to express and develop their culture, language, traditions and customs. (see E/C.12/KGZ/CO/2-3).

38. The Committee on the Elimination of Racial Discrimination at its eighty-fourth session, held from 3 to 21 February 2014, reviewed, inter alia, the combined seventh,

eighth and ninth periodic reports of Switzerland. It remained concerned that Traveller communities and the Yenish, Manush, Sinti and Roma continued to face obstacles in accessing education and preserving their language and lifestyle. The Committee recommended that the State party strengthen its efforts to promote and protect the rights of national minorities, particularly with regard to access to education and preservation of their language and lifestyle (see CERD/C/CHE/CO/7-9).

39. The Committee on the Rights of the Child at its sixty-fifth session, held from 13 to 31 January 2014, adopted concluding observations on, inter alia, the combined third and fourth periodic reports of Germany. It expressed concern about the rise in the poverty rate and the at-risk-of-poverty rate among children, with children from single-parent families, large families and families from ethnic minority backgrounds being particularly affected. The Committee regretted the fact that children from ethnic minority backgrounds had a significantly weaker record of school achievement, with twice the number of such children leaving school without qualifications as pupils from non-ethnic minority backgrounds (see CRC/C/DEU/CO/3-4).

40. The Committee against Torture at its fiftieth session, held from 6 to 31 May 2013, in in its concluding observations on the combined fifth and sixth periodic reports of the Netherlands expressed concern at the alleged incidents of illegal use of force, insults and mistreatment at the Koraal Specht prison in Curaçao and in the cells at police stations on the islands of Aruba, Bonaire and Sint Maarten, and at ethnic profiling by the police and border guards aimed in particular at foreigners and persons belonging to minorities. It requested the State party to establish systems to obtain disaggregated data about the composition of the detainee population to avoid disproportionate representation of minorities (see CAT/C/NLD/CO/5-6). At its fifty-first session, held from 28 October to 22 November 2013, in its concluding observations on the combined fifth and sixth periodic reports of Portugal, the Committee expressed concern at reports of discrimination and abuses against Roma and other minorities by the police. It recommended that the State party take effective measures to ensure the protection of members of the Roma community (see CAT/C/PRT/CO/5-6).

B. General comments and general recommendations

41. In its general recommendation No. 35 of 2013 on combating racist hate speech, the Committee on the Elimination of Racial Discrimination asserted that media representations of ethnic, indigenous and other groups within the purview of article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination should be based on principles of respect, fairness and the avoidance of stereotyping. The media should avoid referring unnecessarily to race, ethnicity, religion and other group characteristics in a manner that might promote intolerance.

42. In 2013, The Committee on the Rights of the Child issued its general comment No. 14 2013 on the right of the child to have his or her best interests taken as a primary consideration. In the general comment, the Committee stressed that situations of vulnerability, such as belonging to a minority group, were important elements to be taken into account, not only in relation to the full enjoyment of all the rights provided for in the Convention on the Rights of the Child, but also with regard to other human rights norms relating to that situation of vulnerability.

43. The Committee on the Elimination of Discrimination against Women adopted its general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations in November 2013. In the general recommendation, the Committee called upon States to address the needs of women belonging to minorities. It noted that during and after conflict, specific groups of women and girls were at particular risk of violence, especially sexual violence, for example, women of diverse caste, ethnic, national or religious identities, or other minorities, who were often attacked as symbolic representatives of their community.

V. Selected activities of the Special Rapporteur on minority issues

44. Although minority issues were addressed by several special procedures mandate holders, the Special Rapporteur on minority issues has developed a particularly rich body of work on minority rights, both from a thematic and country-specific perspective.

45. In March 2014, the Special Rapporteur, in her previous capacity as Independent Expert on minority issues, presented to the Human Rights Council her report on ensuring the inclusion of minority issues in post-2015 development agendas (A/HRC/25/56). In October 2014, she presented a report on violence and mass atrocity crimes targeted against minorities to the General Assembly (A/69/266). She highlighted that persons belonging to minorities were frequently the victims of violence and atrocities perpetrated with impunity. She asserted that measures to foster unity among different population groups, the comprehensive implementation of minority rights and the establishment or strengthening of institutional and policy frameworks for the protection of minority rights were essential to the more effective prevention of mass atrocity crimes against minorities.

46. In April 2014, the Special Rapporteur conducted a country visit to Ukraine, during which she stated that a key pillar of minority rights was full and equal participation in public life, including political participation at the national, regional and local levels. She also stressed the importance of enabling students to learn both about their own origins, cultures and religions and also about those of others in a positive way that recognizes the contributions of all groups.

47. In June 2015, the Special Rapporteur presented to the Human Rights Council her report containing a comprehensive study of the human rights situation of Roma worldwide, with a particular focus on the phenomenon of anti-Gypsyism (A/HRC/29/24). She highlighted that although the reasons for the marginalization of Roma were complex, an overarching factor was the deeply embedded social and structural discrimination that Roma face worldwide, including anti-Gypsyism. She urged States to place the rights of Roma at the heart of all strategies and policies relating to human and minority rights, social inclusion and development, with explicit goals for Roma communities.

48. The Special Rapporteur also issued several press statements on a range of developments concerning minorities. For example, in June 2014, the Special Rapporteur called upon Pakistan to urgently put in place protective measures to ensure the personal security of Ahmadiyya Muslims and other religious minorities living under the threat of hostility and violence by militant extremists. In July 2014,

she called upon Sri Lanka to adopt urgent measures to stop the promotion of racial and faith-based hatred and violence against Muslim and Christian communities by Buddhist groups with extremist views.

49. Also in July 2014, the Special Rapporteur expressed, along with other United Nations experts, her concerns about the physical safety of several minority groups in Iraq, including Christians, Shia, Shabaks, Turkmen and Yazidis, which were subjected to abductions, killings or the confiscation of their property by extremist groups. In August 2014, she called for urgent measures to avoid a mass atrocity and potential genocide.

50. On 2 August 2014, on the occasion of the seventieth anniversary commemoration of the Roma Holocaust, the Special Rapporteur, together with the Special Adviser of the Secretary-General on the Prevention of Genocide, called for stronger measures to keep the memory of the Roma Holocaust alive and to enable survivors, Roma communities and others to mark it in a recognized and dignified manner.

51. In December 2014, the Special Rapporteur, along with other mandate holders, expressed concerns over the decision not to bring to trial the cases of Michael Brown and Eric Garner in the United States of America, stating that the decisions had left many with legitimate concerns relating to a pattern of impunity when the victims of the excessive use of force came from African-American or other minority communities.

52. In June 2015, the Special Rapporteur, together with the Special Adviser on the Prevention of Genocide, the Special Adviser on the Responsibility to Protect and the Special Rapporteur on freedom of religion or belief, expressed grave concern at the ongoing threat to the safety of minority groups in the Syrian Arab Republic, including Alawites, Armenians, Assyrians, Druze, Ismailis and Kurds.

VI. Forum on Minority Issues

53. The Forum on Minority Issues was established by the Human Rights Council in its resolution 6/15 and renewed pursuant to its resolution 19/23 of 23 March 2012. The Forum provides an annual platform for dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities.

54. At its sixth session, held on 26 and 27 November 2013 under the theme "Beyond freedom of religion or belief: guaranteeing the rights of religious minorities", the Forum on Minority Issues addressed challenges relating to religious minorities, including from the perspective of respect for the right to freedom of religion or belief. The goal of the session was to identify measures to guarantee the rights of members of religious minorities to security. The discussions covered various minority rights issues, including the rising tide of violent attacks against members of religious minorities in several countries.

55. The theme of the seventh session of the Forum, held on 25 and 26 November 2014, was "Preventing and addressing violence and atrocity crimes targeted against minorities" in order to increase awareness of the obligation of States under international law to strengthen institutional and policy frameworks for the protection of minority rights. In keeping with past practice, the recommendations of

the sixth and seventh sessions of the Forum were presented by the Special Rapporteur on minority issues to the Human Rights Council. The recommendations emphasized measures to address, inter alia, acts of violence and incitement to religious hatred. It was also emphasized that guaranteeing the security of members of religious minorities required preventive actions involving States and regional and international organizations, as well as members of the minorities themselves. Interfaith dialogue aimed at promoting interreligious, intercultural and interfaith harmony was crucial to combating discrimination and exclusion based on religion or belief.

56. On 24 November 2014, a dialogue on the role of the United Nations in preventing and addressing violence and atrocity crimes against minorities, which was organized by OHCHR, provided an opportunity for sharing United Nations experiences and practices that were effective in strengthening prevention and protection capacities in various contexts, including in terms of addressing discrimination and securing the effective participation of minorities in times of peace; preventing violence by facilitating national engagement, including with human rights mechanisms, when identity-related tensions existed; and responding to violence in situations of widespread and systematic attacks against minorities during conflict and post-conflict situations. The discussions served to identify approaches that worked best, by examining action by the United Nations ranging from human rights advocacy work at OHCHR headquarters and in the field to humanitarian action involving peacebuilding and peacekeeping during conflict and post-conflict situations and involving a variety of United Nations actors.

VII. Universal periodic review

57. Since the launch of the universal periodic review, minority rights issues have been raised frequently by States and other stakeholders. A study conducted by the Special Rapporteur on minority issues in 2014 concluded that in the first cycle of the universal periodic review, 112 Member States issued a total of 895 recommendations about national or ethnic, religious and linguistic minorities to 137 Member States, and that minorities were the ninth most discussed topic during that cycle. In the second cycle, the number of recommendations made on minority issues increased further, reflecting remaining challenges and gaps but also suggesting increased recognition by States of the centrality of minority rights in the protection of human rights.

58. Recommendations from the universal periodic review pertaining to minorities covered a broad range of themes and contained a variety of proposals for further action, including in relation to legislative and practical measures to ensure the promotion and protection of minority rights; measures aimed at protecting minorities against discrimination, particularly in employment, housing, health and education; enhanced efforts to promote the participation of minorities in politics; the implementation and enforcement of provisions on freedom of religion and belief; and measures to tackle prejudices and eradicate racial discrimination.

59. OHCHR and other United Nations entities are working with Member States and other partners to support follow-up to universal periodic review recommendations, including in relation to the recommendations concerning minority rights. In such efforts, the inclusion of all stakeholders — States, national

human rights institutions, non-governmental organizations and representatives of national or ethnic, religious and linguistic minorities — is crucial to the achievement of concrete results.

VIII. Conclusions

60. **Seventy years ago, the founding members of the United Nations committed themselves to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law could be maintained and to promote social progress and better standards of life in larger freedom. Over the years, that pledge in the Charter of the United Nations has been translated into numerous international and regional treaties on the protection and promotion of human rights for all.**

61. **However, the increasing number of human rights violations committed against thousands of persons belonging to minorities in different parts of the world in recent months and years shows that those promises remain unfulfilled. Against the backdrop of war and conflict, violence and human rights abuses committed against people on the basis of gender, ethnicity, race, religion or other status have continued, often unabatedly and with impunity.**

62. **In the face of persisting and, in many cases, systematic discrimination against persons belonging to minorities, and the serious human rights violations to which they are often subjected, the international community has to take stronger action to ensure more effective protection of minorities and their members. The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other international human rights standards provide a solid framework for this imperative task.**

63. **The initiatives outlined in the present report demonstrate that the United Nations, States and civil society have worked in a range of ways to improve the protection of minority rights. However, the deplorable reality that many minorities face on the ground calls for much more effort: more decisive follow-up to human rights recommendations; more inclusion of minority representatives in decision-making, including women; more support to the champions of minority rights at the national and international level; more laws, policies and institutions that address discrimination and impunity and other human rights problems that minorities encounter, and more political will and genuine cooperation to achieve sustainable improvements. Such an agenda would be crucial to counteracting and preventing those who seek to incite hatred and violence by exploiting tensions between groups. Ensuring respect for minority rights and for the principle of non-discrimination is not only a fundamental human rights obligation, but a sine qua non of preventing conflict and violence.**